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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,307	02/12/2004	Takeo Hosomi	NEC03242-KSe	3544
21254 7590 05/12/2008 MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817				
EXAMINER NAJEE-ULLAH, TARIQ S				
ART UNIT 2152		PAPER NUMBER		
MAIL DATE 05/12/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/776,307

## Applicant(s)

HOSOMI, TAKEO

## Examiner

TARIQ S. NAJEE-ULLAH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 2/12/04
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

This is the first Office action in response to Application 10/776,307 filed on February 12, 2004. Claims 1-14 have been examined and are pending.

#### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on February 12, 2004 was in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Publication 6,226,734 to Kliensorge et al (Kliensorge hereinafter).

Regarding claims 1 and 8, Kliensorge teaches **a plurality of CPU cells that are each provided with at least one CPU wherein said CPU cells are divided among a plurality of groups (fig. 1), each of said groups**

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**operating under a different operating system (fig. 2); and device cells that are connected to said CPU cells by way of a network (fig. 1), comprising; devices that are shared among said plurality of CPU cells (fig. 1); and device control units (fig. 2) that are each provided with device control information for controlling a plurality of types of processing that can be executed by said devices (fig. 3), that are each provided with said device control unit that (fig. 3), upon receiving commands from said CPU cells (figs. 5-6), searches device control information that corresponds to the originator of said command (fig. 5) and causes said devices to execute processing that is designated by said device control information that has been updated by said command (figs. 9-12).**

Regarding claims 2 and 9, Kliensorge discloses the invention substantially as described in claims 1 and 8 above, including **said device control information is provided to correspond to each of said plurality of CPU cells** (figs. 1 & 8A).

Regarding claims 3 and 10, Kliensorge discloses the invention substantially as described in claims 1 and 8 above, including **said device control information is provided in any number of sets** (col. 4, line 43 – col. 5, line 27).

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Regarding claims 4 and 11, Kliensorge discloses the invention substantially as described in claims 1 and 8 above, including **said CPU cells hold, in table format** (col. 11, line 64 – col. 12, line 4), **information on said devices that said CPU cells can use** (figs. 7-9); **and each of said CPU cells preferentially uses devices that are assigned to that CPU cell at the time of system start-up** (col. 18, line 60 – col. 19, line 43).

Regarding claims 5 and 12, Kliensorge discloses the invention substantially as described in claims 1 and 8 above, including **said device cells are provided with a plurality of similar devices** (figs. 7-9; col. 11, line 14 – col. 12, line 26); **and said device control units cause any device from among said plurality of devices to execute processes that are designated by said device control information** (col. 11, line 14 – col. 12, line 26).

Regarding claims 6 and 13, Kliensorge discloses the invention substantially as described in claims 1 and 8 above, including **said CPU cells are each provided with a command transmission circuit for generating commands in which are combined a plurality of instructions that are issued from said CPUs** (col. 11, line 14 – col. 12, line 26); **said device cells are each provided with a command analysis unit for parsing said commands and extracting a plurality of instructions** (fig. 4, memory controller); **and said device control units**

**cause said devices to execute processing that is designated by said device control information that has been updated by the plurality of extracted instructions** (figs. 5-9 illustrate processes of executing command and config instructions that are processed by the computer system).

Regarding claims 7 and 14, Kliensorge discloses the invention substantially as described in claims 1 and 8 above, including **wherein: said CPU cells hold system identifiers for specifying said groups to which said CPU cells belong** (fig. 4, adaptively-partitioned, multi-processing (APMP) system memory controller); **said device cells hold system configuration information that is constituted of lists of CPU cells that correspond to said system identifiers** (col. 9, line 55 - col. 10, line 60); **said device cells select any one CPU cell from among groups to which the CPU cells belong based on said system configuration information that is held and said system identifiers that are transmitted from said CPU cells** (col. 9, line 55 - col. 10, line 60) **together with said commands, and transmit response messages that contain processing results for the commands to the selected CPU cells** (col. 23, line 39 - col. 24, line 54); **and CPU cells, upon receiving said response messages from said device cells** (col. 23, line 54 - col. 24, line 54),

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**acquire processing results of said device cells in accordance with the response messages** (figs. 6-8; col. 28, line 22 – col. 29, line 41).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent 7,055,142 to Meredith et al.
- US Patent 7,117,487 to Meredith et al.
- US Patent 7,216,335 to Meredith et al.
- US Patent 6,016,466 to Guinther et al.
- US Patent 6,065,037 to Hitz et al.
- US Patent 6,411,969 to Tam.
- US Patent Application Publication 2006/0168589 to Moore.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARIQ S. NAJEE-ULLAH whose telephone number is (571)270-5013. The examiner can normally be reached on Monday through Friday 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T. N.

/Bunjob Jaroenchonwanit/  
Supervisory Patent Examiner, Art Unit 2152